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DD/S 69-0012

17 JUN 68

5, 6 & 9



MEMORANDUM FOR: Chief, Support Services Staff

SUBJECT : Administrative Authorities

REFERENCE : Memo dtd 26 June 68 for General Counsel, Legislative Counsel, DD/I, DD/P, and DD/S&T fr DD/S, same subj

1. Attached are Proposals 5, 6, and 9, extracted from reference. These have the concurrence of the DD/I, DD/P, and DD/S&T.

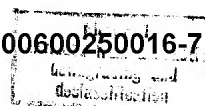
2. Please arrange with the responsible Support components for pertinent revisions of the regulations to incorporate these changes. Please also then effect the regular regulation coordination.

(Signed) John W. Coffey

**R. L. Bannerman
Deputy Director
for Support**

Atts

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Administrative Authorities

ATTACHMENT

PROPOSAL 5: Limit payment of travel and transportation expenses of an employee retiring abroad to a place in the United States, its territories or possessions, designated by the employee at the time of retirement.

Present Regulation: Travel and transportation expenses may be authorized for an employee retiring abroad "to the place where he will reside."

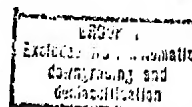
Recommendation: Adopt the above proposal.

Comment: The principal reason for this recommendation is to limit the current preferential right of those retiring abroad to receive payment of travel and transportation expenses to any place in the world. The change is an adjunct to the Committee's proposal in Section I of this Report, which recommends that CIAR retirees, regardless of duty station (U.S. or abroad), be granted travel and transportation costs to a place within the United States, its territories and possessions which they designate at the time of retirement.

Section 4(1)(C) of the CIA Act of 1949, as amended, provides that the Agency, under such regulations as the Director may prescribe, may pay the cost of transporting the furniture and HHE upon retirement to the place "where he (the employee) will reside." Section 4(1)(A) permits a comparable travel benefit for the employee and his family. Section 911(3) of the Foreign Service Act of 1946, as amended, contains a similar provision; namely, payment of travel and transportation expenses "upon termination of his services (resignee or retiree) to the place where he will reside." These statutory similarities are not carried out, however, in the Agency and State regulatory provisions applicable to overseas retirees. Whereas the Agency allows overseas retirees to receive travel and transportation expenses to the place where they will reside, i.e., anywhere in the world, the Department of State has limited such travel to an officially recorded place of residence in the United States, its possessions or Puerto Rico. It has also tightened up its procedures to ensure that changes will not be made except for a good reason (especially just before retirement). While the Committee does not advocate that the travel benefit accorded overseas retirees should conform completely to the system in the Foreign Service, we do believe an entitlement to travel and transportation expenses should be limited to a place in the United States, its territories or possessions.

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In practice, employees often retire abroad, rather than returning PCS to Headquarters for separation, in order to take advantage of the travel benefit available to overseas retirees (22 or 68 retiring under CIAR in Calendar Year 1967). Only one employee, however, elected in CY 1967 to remain abroad after CIAR retirement. Although we do not have any available data on employees staying abroad after retirement under the Civil Service Retirement Act, we presume the total is also small in number. Thus, few individuals are expected to be adversely affected by the proposed change, and the recommended action should act as a future deterrent against personnel not returning to the United States upon cessation of employment. We believe that the number of personnel staying overseas should be kept to a minimum for security reasons, and the Agency should not as a matter of policy condone or encourage them to remain abroad by paying their travel costs to an overseas destination. Moreover, an employee's election to go anywhere in the world could be more expensive in some cases than returning them to the United States, its territories or possessions.

of action

PROPOSAL 6: Amend Agency regulations to increase the reimbursement rate for use of privately owned vehicles for official business in the Metropolitan Washington area.

Present Regulation: Reimbursements for use of privately owned passenger vehicles between points within the Metropolitan Washington area are authorized at rates not to exceed 10 cents per mile.

Recommendation: Revise present regulation to provide for mileage payments at rates not to exceed 12 cents per mile with corresponding increases in the flat rates established for certain areas within the Metropolitan Washington area.

Comment: The present regulation evolved from an Agency decision in 1961 to establish a schedule of flat-rate reimbursements for official trips via private vehicles between the Headquarters Building and certain destination points in the Metropolitan area. Those reimbursements as well as reimbursements between other locations in the Metropolitan Washington area were limited to a 10 cents per mile rate which is the mileage rate authorized by the Standardized Government Travel Regulations (SGTR's) when a POV is used in lieu of a taxi between common carrier terminals and place of abode

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or place of business. It is to be noted that the SGTR provision in this latter instance has the effect of allowing 10 cents per mile for "non official" mileage (namely, the one-half of the round trip in which the employee is not an occupant of the POV), so long as the total round trip allowance on this basis does not exceed the one-way taxi fare. The same paragraph of the SGTR's provides that employees authorized to use a POV in the conduct of official business within or outside the designated post of duty may be authorized reimbursement on a mileage basis at a rate not to exceed 12 cents. At the present time, Agency regulations authorize a not to exceed 12 cents per mile rate for official travel within the United States except travel in the Metropolitan Washington area. In the interests of equity and consistency with the provisions of the SGTR's, it is concluded that the mileage rate base for travel within the Metropolitan Washington area should be increased from a maximum of 10 cents to 12 cents.

PROPOSAL 9: Eliminate duplicative eligibility criteria in Agency regulations for authorizing home leave travel and home leave (time).

Present Regulations: [REDACTED] indicates that home leave may be granted upon completion of a prescribed period of service outside the United States "when it is contemplated that the employee will return to service outside the United States immediately after home leave or upon completion of an assignment in the United States." [REDACTED] provides for travel from duty post abroad to home leave point and return if eligible for home leave under [REDACTED] "when there is a reasonable expectation that the employee will return to an assignment outside the United States."

Recommendation: Eliminate the duplication by deleting the following quoted material in [REDACTED] "when there is a reasonable expectation that the employee will return to an assignment outside the United States."

Comment: The quoted language in [REDACTED] is the standard contained in Civil Service Commission rules and regulations which implement the Overseas Allowance and Differentials Act. These rules are binding upon the Agency unless, specific exception is taken to them under the Director's power to adopt other authorities. The quoted material in [REDACTED] is not found in law or CSC regulations and is confusing to the extent that its broader language could be construed by some to have a different meaning.

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